

REMARKS

Applicants respectfully request reconsideration of the application.

The 35 U.S.C. Section 101 rejection of claims 1-6 is respectfully traversed. However, the issue is moot in view of amendments to claim 1.

The double patenting rejection is improper because the cited patent is not commonly-owned with this application. In addition, the claims are sufficiently different such that they do not conflict.

Respectfully submitted,

Date: January 15, 2009

DIGIMARC CORPORATION

CUSTOMER NUMBER 23735

Phone: 503-469-4800

FAX 503-469-4777

By /Joel R. Meyer/

Joel R. Meyer

Registration No. 37,677